

### AMENDMENTS TO THE CLAIMS

#### WHAT IS CLAIMED IS:

~~Sub. C1~~ (Currently Amended) A device for testing the operation of a modem in a computer, the device comprising:

a case;

a first communication port attached to the case and configured to be directly coupled to a modem in a computer thereby forming a primary communication link;

a second communication port coupled to a signal reporting circuit and configured to be coupled with the computer and to bypass the modem, thereby forming a secondary communication link that bypasses the modem; and

wherein the signal reporting circuit is located within the case and coupled to the first communication port and the second communication port, the signal reporting circuit including a microprocessor configured to send a signal to the computer via the secondary communication link to initiate the transmission of test data from the modem in the computer via the primary communication link and to evaluate the transmit capability of the modem in the computer over the primary communication link.

2. (Cancelled)

3. (Original) The device of claim 1 wherein the signal reporting circuit further comprises an analog to digital converter coupled to the microprocessor and the first communication port.

4. (Original) The device of claim 1 wherein the signal reporting circuit further comprises a modem coupled to the microprocessor and the first communication port.

5. (Currently Amended) A method of testing the operation of a modem throughout a computer using a portable modem testing device, the method comprising:  
coupling [[the]] a modem in [[the]] a computer to [[the]] a portable modem testing device;

coupling the computer to the portable modem testing device via an alternate communication link that bypasses the modem;

sending a signal from the portable modem testing device to the computer via the alternate communication link to initiate testing the operation of the modem in the computer;

initiating transmission of test data from the modem;

receiving the transmission from the modem at the portable modem testing device; and

verifying the transmission.

6. (Cancelled)

7. (Cancelled)

8. (Currently Amended) A method of testing the operation of a modem in a computer using a modem testing device, the method comprising:

coupling [[the]] a modem in [[the]] a computer to [[the]] a modem testing device;

coupling the computer to the modem testing device via an alternate communication link that bypasses the modem;

sending a signal to the computer via the alternate communication link to initialize the modem in the computer;

transmitting of test data from the modem testing device;

receiving the transmission from the modem testing device at the modem in the computer;

verifying the transmission;

transmitting test data from the modem to the modem testing device; and

verifying the test data.

9. (Cancelled)

10. (Cancelled)

11. (Currently Amended) A method of testing the operation of a modem in a computer using a modem testing device, the method comprising:

coupling [[the]] a modem in [[the]] a computer to [[the]] a modem testing device;

coupling the computer to the modem testing device via an alternate communication link that bypasses the modem;

initiating transmission of test data from the modem by sending a signal from the modem testing device over the alternate communication link;

receiving the transmission from the modem at the modem testing device;

verifying the transmission;

initiating transmission of test data from the modem testing device;

receiving the transmission from the modem testing device at the modem;

and

verifying the transmission.

12. (New) The device of Claim 1, wherein the first communication port comprises an RJ11 jack.

13. (New) The device of Claim 1 further comprising a memory.

14. (New) The device of Claim 13, wherein the memory is configured to store the test data.

15. (New) The device of Claim 13, wherein the memory is configured to store software for controlling the testing of the modem.

16. (New) The method of Claim 5 further comprising storing the test data in a memory.

17. (New) The method of Claim 5, wherein verifying the transmission further comprises:

receiving a second transmission of the test data via the alternate communication link; and

comparing the transmission of the test data with the second transmission of the test data.

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18. (New) The method of Claim 8, wherein verifying the test data comprises comparing the test data received from the modem with the test data transmitted by the modem testing device.

19. (New) The method of Claim 8, wherein the modem testing device comprises a memory.

20. (New) The method of Claim 8, wherein verifying the transmission from the modem testing device comprises comparing the transmitted test data with a known data set.

21. (New) The method of Claim 20, wherein the known data set is transmitted to the computer via the alternate communication link.

22. (New) The method of Claim 11, wherein the modem testing device comprises a microprocessor configured to verify the transmission from the modem.

23. (New) The method of Claim 11, wherein the modem testing device stores the transmission received from the modem in a memory.